

REMARKS

Independent claims 1, 15, and 16 have been rewritten to recite that the anti-inflammatory component of the topical compositions of the claimed invention consists essentially of effective amounts of a linseed extract and a licorice extract. The cited references, alone or in combination, do not teach or suggest topical compositions comprising such anti-inflammatory compositions.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph

The rejection of claim 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention has been obviated by amendment. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

The rejection of claims 1, 2, 8, and 11 under 35 U.S.C. § 102(b) as being anticipated by the English abstract of JP 1992-393237 has been obviated by amendment. Independent claim 1 has been rewritten to recite that the anti-inflammatory composition included in the topical composition consists essentially of effective amounts of a linseed extract and a licorice extract, which is neither taught nor suggested in the cited reference.

The English abstract of JP 1992-393237 describes drugs and food for preventing allergy that contain (a) alpha linolenic acid and (b) sesamin. A licorice extract is described as being an optional ingredient. The English abstract of JP 1992-393237 contains no teaching or suggestion of topical compositions or that a combination of effective amounts of a linseed extract and a licorice extract provides anti-inflammatory properties. Moreover, the English abstract of JP 1992-393237 does not teach or suggest an anti-inflammatory composition that consists essentially of effective amounts of a linseed extract and a licorice extract, as required by the claimed invention.

For at least the reasons set forth above, Applicants respectfully submit that the claimed invention is neither anticipated by nor would have been obvious in view of the

English abstract of JP 1992-393237. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

The rejection of claims 3-7, 9-10, and 12-20 under 35 U.S.C. § 103(a) as being unpatentable over the English abstract of JP 1992-393237 in view of the English abstract of JP 63280006 has been obviated by amendment. Independent claims 1, 15, and 16 have been rewritten to recite that the anti-inflammatory composition included in the topical composition consists essentially of effective amounts of a linseed extract and a licorice extract, which is neither taught nor suggested by the cited references, alone or in combination.

As noted above, the English abstract of JP 1992-393237 neither teaches nor suggests an anti-inflammatory composition that consists essentially of effective amounts of a linseed extract and a licorice extract, as required by the claimed invention.

The English abstract of JP 63280006 describes skin irritation suppressing agents that contain one or more of (a) a fatty acid, (b) a sebum component, (c) an anti-inflammatory agent, (d) a ganglioside, (e) a calcium antagonistic agent, and (f) a surfactant. The anti-inflammatory component of the agents described in the English abstract of JP 63280006 is selected from stearyl glycyrrhetinate, glycyrrhizinic acid salt, and α -bisabolol. The English abstract of JP 63280006 neither teaches nor suggests an anti-inflammatory composition that consists essentially of effective amounts of a linseed extract and a licorice extract, as required by the claimed invention.

Inasmuch as the combination of the English abstract of JP 1992-393237 and the English abstract of JP 63280006 fails to teach or suggest anti-inflammatory composition that consists essentially of effective amounts of a linseed extract and a licorice extract, as required by the claimed invention, Applicants respectfully submit that the claimed invention is neither anticipated by nor would have been obvious in view of the cited references, alone or in combination. Accordingly, withdrawal of this ground of rejection is respectfully requested.




Conclusion:

In view of the Amendment and Remarks set forth above, Applicants respectfully submit that the claimed invention is in condition for allowance. Early notification to such effect is earnestly solicited.

If for any reason the Examiner feels that the above Amendment and Remarks do not put the claims in condition to be allowed, and that a discussion would be helpful, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,



Gregory H. Layia
Registration No. 48,059
Agent for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200